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10/706,815 OPTICAL PULSE CALIBRATION FOR QUANTUM KEY DISTRIBUTION



Application Data	Transaction History	Image File Wrapper	Patent Term Adjustments	Continuity Data	Published Documents	Publication Dates	Address & Attorney/Agent
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## Transaction History

Date	Transaction Description
09-05-2006	Issue Fee Payment Received
07-14-2006	Petition to Revive Application - Granted
06-16-2006	Petition Entered
06-08-2006	Mail Abandonment for Failure to Pay Issue Fee
06-08-2006	Abandonment for Failure to Pay Issue Fee
01-20-2006	Mail Notice of Allowance
01-18-2006	Notice of Allowance Data Verification Completed
12-14-2005	Date Forwarded to Examiner
08-08-2005	New or Additional Drawing Filed
12-14-2005	Date Forwarded to Examiner
08-08-2005	Request for Continued Examination (RCE)
12-14-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
08-08-2005	Workflow - Drawings Finished
08-08-2005	Workflow - Request for RCE - Begin
08-03-2005	Mail Notice of Allowance
08-01-2005	Notice of Allowance Data Verification Completed
08-01-2005	Case Docketed to Examiner in GAU
05-17-2005	Date Forwarded to Examiner
05-03-2005	Response after Non-Final Action
05-03-2005	Request for Extension of Time - Granted
05-17-2005	Correspondence Address Change
05-17-2005	Change in Power of Attorney (May Include Associate POA)
02-11-2005	Reference capture on IDS
02-11-2005	Information Disclosure Statement (IDS) Filed
01-05-2005	Mail Non-Final Rejection
12-27-2004	Non-Final Rejection
12-14-2004	Case Docketed to Examiner in GAU
10-31-2004	Case Docketed to Examiner in GAU
09-23-2004	Case Docketed to Examiner in GAU
08-26-2004	IFW TSS Processing by Tech Center Complete
08-26-2004	Case Docketed to Examiner in GAU
07-12-2004	Reference capture on IDS
11-12-2003	Reference capture on IDS
07-12-2004	Information Disclosure Statement (IDS) Filed
11-12-2003	Information Disclosure Statement (IDS) Filed
02-11-2004	Application Return from OIPE
02-11-2004	Application Return TO OIPE
02-12-2004	Application Is Now Complete

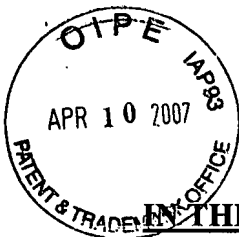
02-09-2004	Application Dispatched from OIPE
02-10-2004	Application Is Now Complete
01-30-2004	Cleared by L&R (LARS)
01-30-2004	Referred to Level 2 (LARS) by OIPE CSR
12-10-2003	IFW Scan & PACR Auto Security Review
11-12-2003	Initial Exam Team nn

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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Vig et al.

Assignee: MagiQ Technologies, Inc.

Serial No.: 10/706,815

Filed: 11/12/2003

Art Unit No.: 2136

Examiner: Shiferaw, Elani A.

Title: Optical pulse calibration for  
quantum key distribution

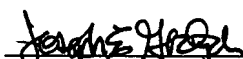
Attorney Docket No.: 029-03US1

Mail Stop: Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to:

Mail Stop: Issue Fee  
Commissioner for Patents  
PO Box 1450,  
Alexandria, Virginia, 22313-1450

  
Joseph E. Gortych

Date: April 05, 2007

**COMMUNICATION CONCERNING REQUEST FOR PATENT ISSUANCE**

The attached documents were filed in the USPTO on August 31, 2006 in connection with the Assignee having received a second Notice of Allowance for the application pursuant to a granted petition under 37 CFR 1.181 (attached). Also attached is a copy of the Transaction History of the application as indicated in PAIRS, showing that the USPTO received the documents, and in particular the attached "Part B – Transmittal Fee(s)" form for the payment of the issue fee(s).

Accordingly, all necessary documents and payments have been submitted to the USPTO for the above-identified Application to issue as a U.S. Patent. Accordingly, the Assignee respectfully requests that the above-identified Application be issued as a U.S. Patent in due course without any further delay.

Any questions concerning this matter should be directed to the below-named attorney-of-record for the above-identified application.

Respectfully submitted for MagiQ Technologies, Inc., by:



Joseph E. Gortych (Reg. No. 41,791 )

Date: April 05, 2007

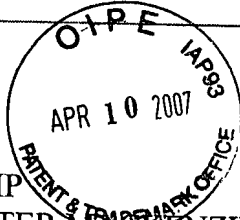
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JUL 14 2006

OFFICE OF PETITIONS

In re Application of  
Vig, et al.  
Application No. 10/706,815  
Filed: November 12, 2003  
Attorney Docket No. 029-03US1  
For: OPTICAL PULSE CALIBRATION  
FOR QUANTUM KEY DISTRIBUTION

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed June 16, 2006 (certificate of mailing date June 13, 2006) to withdraw the holding of abandonment.

The petition under 37 CFR 1.181 is **GRANTED**.

The Office contended that the above-identified application became abandoned for failure to submit the issue fee and publication fee in response to the January 20, 2006 Notice of Allowance and Fee(s) Due, which set a three month non-extendable period for reply. No reply being received, the Office contended that this application became abandoned on April 21, 2006. A Notice of Abandonment was mailed on June 8, 2006.

Petitioners allege that the January 20, 2006 Notice was not received.

The showing required to establish non-receipt of an Office communication must include:

1. A statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received.
2. A copy of the docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.<sup>1</sup>

Petitioners have submitted a copy of the docket record where the requirement would have been entered had the January 20, 2006 Notice been received. In addition, practitioner referenced the

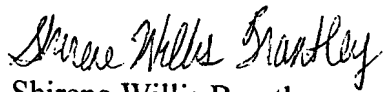
<sup>1</sup> See notice entitled "Withdrawing the Holding of Abandonment When Office Actions Are Not Received," 1156 O.G. 53 (November 16, 1993).

docket record in the petition and stated that a review of the file jacket for the January 20, 2006 Notice was fruitless.

Petitioners have established non-receipt. The petition is **granted**, the Notice of Abandonment is vacated, and the holding of abandonment is withdrawn.

After the mailing of this decision, the application will be returned to Technology Center AU 2136 for the re-mailing of the January 20, 2006 Notice of Allowance and Fee(s) Due and Notice of Allowability with a new period set for reply.

Telephone inquiries may be directed to the undersigned at (571) 272-3230.



Shirene Willis Brantley  
Senior Petitions Attorney  
Office of Petitions